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9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
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13 LA CUNA DE AZTLAN SACRED
14 SITES PROTECTION CIRCLE
15 ADVISORY COMMITTEE;
16 CALIFORNIANS FOR RENEWABLE
17 ENERGY; ALFREDO ACOSTA
18 FIGUEROA; PHILLIP SMITH;
19 PATRICIA FIGUEROA; RONALD
20 VAN FLEET; CATHERINE OHRIN-
21 GREIPP, RUDY MARTINEZ
22 MACIAS, and GILBERT LEIVAS,

23 Plaintiffs,

24 v.

25 UNITED STATES DEPARTMENT
26 OF THE INTERIOR; KEN
27 SALAZAR, in the official capacity of
28 Secretary of the United States
Department of the Interior; UNITED
STATES BUREAU OF LAND
MANAGEMENT; ROBERT ABBEY,
in the official capacity of Director of
the United States Bureau of Land
Management; TERI RAML, in the
official capacity of District Manager of
the California Desert District of the
United States Bureau of Land
Management; JOHN KALISH, in the
official capacity of Field Manager of
the Palm Spring South Coast Field

Case No. 5:11-cv-01478-GW-SS

**[PROPOSED] ORDER GRANTING
GENESIS SOLAR LLC'S MOTION
TO RECOVER FEES AND COSTS
INCURRED IN THE PREVIOUSLY
DISMISSED ACTION AND
STAYING THE PROCEEDING**

[FRCP 41(d)]

Date: February 9, 2012
Time: 8:30 a.m.
Courtroom: 10
Judge: Hon. George H. Wu

*[Notice of Motion and Motion;
Memorandum of Points and Authorities;
and Declaration of Kristopher S. Davis,
filed concurrently herewith]*

1 Office of the United States Bureau of
2 Land Management; UNITED STATES
3 DEPARTMENT OF ENERGY;
4 STEVEN CHU, in the official capacity
5 of Secretary of the United States
6 Department of Energy; UNITED
7 STATES TREASURY; TIMOTHY F.
8 GEITHNER, in the official capacity of
9 Secretary of the United States
10 Treasury; FEDERAL FINANCING
11 BANK; and GENESIS SOLAR LLC,

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Defendants.

On February 9, 2012, at 8:30 a.m., in Courtroom 10 of the above-entitled court, located at 312 North Spring Street, Los Angeles, California 90012, Defendant Genesis Solar LLC's ("Genesis Solar") Motion to Recover Fees and Costs Incurred in the Previously Dismissed Action and Stay the Proceeding pursuant to Federal Rule of Civil Procedure 41(d) came for hearing. All parties were given notice and an opportunity to be heard, and each party was represented at the hearing by its counsel of record. Having reviewed all of the papers and admissible evidence filed in support of and in opposition to the motion and for good cause appearing:

IT IS HEREBY ORDERED THAT Genesis Solar's Motion is **GRANTED**. It is further **ORDERED** that Genesis Solar shall recover fees and costs in the amount of \$_____ from the Plaintiffs. It is further **ORDERED** that this case is stayed in its entirety until the Plaintiffs have complied with this Order.

IT IS SO ORDERED.

Dated: _____

Honorable George H. Wu
United States District Court Judge

Respectfully submitted,

DRINKER BIDDLE & REATH LLP
1800 Century Park East, Suite 1400
Los Angeles, California 90067-1517
Tel: (310) 203-4000
Fax: (310) 229-1285

By: _____
George T. Caplan
Attorneys for Defendant
GENESIS SOLAR LLC

CERTIFICATE OF SERVICE**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Drinker Biddle & Reath LLP, 1800 Century Park East, Suite 1400, Los Angeles, California 90067.

On **November 21, 2011**, I served the foregoing document described as:
[PROPOSED] ORDER GRANTING GENESIS SOLAR LLC'S MOTION TO RECOVER FEES AND COSTS INCURRED IN THE PREVIOUSLY DISMISSED ACTION AND STAYING THE PROCEEDING on the interested parties in this action by transmitting a copy as follows:

SEE ATTACHED SERVICE LIST

 X **By ELECTRONIC FILING** (I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to counsel denoted on the attached Service List.)

 By PERSONAL SERVICE

 by personally delivering such envelope to the addressee.

 by causing such envelope to be delivered by messenger to the office of the addressee.

 By UNITED STATES MAIL (I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.)

 By OVERNIGHT DELIVERY (by causing such envelope to be delivered to the office of the addressee by overnight delivery via Federal Express or by other similar overnight delivery service.)

 By FAX TRANSMISSION

 By E-MAIL OR ELECTRONIC TRANSMISSION

 (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

 X (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on **November 21, 2011**, at Los Angeles, California.

SHANTA TEEKAH
 Name

/s/ Shanta Teekah
 Signature

SERVICE LIST

***La Cuna De Aztlan Sacred Sites Protection Circle Advisory Committee, et al.
v. United States Department of the Interior, et al.
USDC Case No. 5:11-cv-01478-GW-SS***

Cory J. Briggs, Esq.
cory@briggslawcorp.com

Mekaela M. Gladden, Esq.
mekaela@briggslawcorp.com

Romney Philpott, Esq.
romney.philpott@usdoj.gov, efile_nrs.enrd@usdoj.gov, jane.bamford@usdoj.gov

John P. Tustin, Esq.
john.tustin@usdoj.gov, efile_nrs.enrd@usdoj.gov

Assistant US Attorney LA-CV
USACAC.Civil@usdoj.gov, darryl.musick@usdoj.gov